



MEMORANDUM Agenda Item No. 6(P)

TO: Honorable Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: May 11, 2004

FROM: George M. Burgess
County Manager

SUBJECT: Community Councils Redistricting

RECOMMENDATION

It is recommended that the Board of County Commissioners adopt the attached ordinance relating to Community Councils; modifying number of Councils, Council boundaries and maximum number of subareas; reassigning Council areas and their representatives where, due to annexation or incorporation, former Community Councils can no longer act; modifying the maximum number of members where reassignments occur; and permitting boundary modifications and reassignment of Council members by resolution of the Board of County Commissioners after a public hearing.

BACKGROUND

Community Councils started as local zoning hearing boards in unincorporated Miami-Dade County. Incorporations and annexations reduced unincorporated areas within some of these councils and in some cases, the reductions have been so deep that there are not enough precincts from which to elect new council members necessary to comprise a board of seven members or to maintain a quorum. It's become apparent that some of these remnants of unincorporated area need to be added to adjacent community council areas.

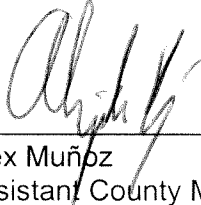
Chapter 20 of the Miami-Dade County Code requires the Boundaries Commission to make recommendations to the Planning Advisory Board (PAB) and the Board of County Commissioners on modifications to the Community Council boundaries. The Boundaries Commission heard staff's recommendation on October 20, 2003; but requested its deferral in order for staff to provide additional information, to include how similar incorporation issues were handled in the past, as well as to receive input from the affected community through a public hearing the day of the meeting. The item was rescheduled for the Boundaries Commission on two occasions thereafter, November 12, 2003 and December 10, 2003, but no quorum was reached. The Boundaries Commission finally considered the item on January 7, 2004, and unanimously approved staff's recommendation.

The proposed ordinance amendment allows continued representation of the remaining areas by reassigning them to nearby councils. The ordinance also resolves the short-term matter of how existing elected council members will serve out their terms. To resolve this matter, the amendment provides flexibility to incorporate the added areas into either: a) a vacant subarea, b) an "at-large" subarea, or c) a neighboring subarea whose term expires in the next state primary election.

Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners
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This ordinance also addresses housekeeping matters concerning realignments of renumbered/deleted/added precincts resulting from reprecincting changes approved by this Board in September 2003, as well as a database cleanup by the Elections Department. It is also recommended that the Board approve future realignments to be accomplished by resolution in order to address these issues more efficiently.

Attachments – Ordinance
Attachment I

A handwritten signature in dark ink, appearing to read 'Alex Muñoz', is written over a horizontal line.

Alex Muñoz
Assistant County Manager

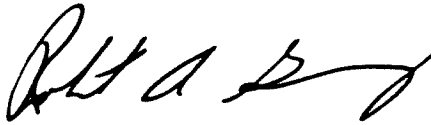


MEMORANDUM

(Revised)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.
and Members, Board of County Commissioners

DATE: May 11, 2004

FROM: 
Robert A. Ginsburg
County Attorney

SUBJECT: Agenda Item No. 6(P)

Please note any items checked.

_____ **"4-Day Rule" ("3-Day Rule" for committees) applicable if raised**

_____ **6 weeks required between first reading and public hearing**

_____ **4 weeks notification to municipal officials required prior to public hearing**

_____ **Decreases revenues or increases expenditures without balancing budget**

_____ **Budget required**

_____ **Statement of fiscal impact required**

_____ **Bid waiver requiring County Manager's written recommendation**

_____ **Ordinance creating a new board requires detailed County Manager's report for public hearing**

_____ **Housekeeping item (no policy decision required)**

_____ **No committee review**

Approved _____ Mayor
Veto _____
Override _____

Agenda Item No. 6 (P)
5-11-04

ORDINANCE NO. _____

ORDINANCE MODIFYING COMMUNITY COUNCIL CONFIGURATION, NUMBERS AND MEMBER ASSIGNMENTS AFTER ANNEXATION OR INCORPORATION; PERMITTING FUTURE MODIFICATIONS BY RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS AFTER PUBLIC HEARING; AMENDING SECTIONS 20-42 AND 20-43 OF THE CODE OF MIAMI-DADE COUNTY; PROVIDING SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE

**BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF
MIAMI-DADE COUNTY, FLORIDA:**

Section 1. Section 20-42 and Section 20-43 of the Code of Miami-Dade County, Florida, is hereby amended to read as follows:¹

Sec. 20-42. Community Councils; configuration.

- (A) There shall be ~~[[fourteen (14)]]~~ >>no more than ten (10)<< Community Councils each of which shall have jurisdiction within ~~[[the]]~~ >>its<< boundary ~~[[of one (1) of the fourteen (14) council areas]]~~ within the unincorporated area. Council areas should be large enough to reasonably accommodate local zoning issues without unduly increasing staffing requirements. The boundaries of Community Councils' jurisdiction, to the extent feasible, shall coincide with those of groupings of Census Designated Places.
- (B) Each Community Council area shall contain ~~[[a total of six (6)]]~~ >>no more than six (6)<< subareas. The boundaries of these subareas, to the extent feasible, shall coincide with

¹ Words stricken through and/or ~~[[double bracketed]]~~ shall be deleted. Words underscored and/or >>double arrowed<< constitute the amendment proposed. Remaining provisions are now in effect and remain unchanged.

those of existing election precincts. Enclave areas that are fully surrounded by municipal boundaries and are not large enough to be subareas shall be part of the nearest subarea.

- (C) The boundaries and numerical designations of the Community Councils and of the subareas within them are depicted and described in Attachment [[A]] >>I attached hereto and incorporated herein by reference<< (which can be found in the County Clerk's Office ~~[[attached to Ordinance Number 97-163]]~~). These boundaries may be amended from time to time by resolution of the ~~[[Community]]~~ >>County<< Commission ~~[[initiation and]]~~ after public hearing. The names of the Community Councils shall be designated by the respective Community Council.

- >>(D) Notwithstanding anything in this Code to the contrary, when, as a result of municipal incorporation or annexation, a Community Council does not have enough members in office to act, the Board of County Commission may by resolution after public hearing, reassign the remaining areas of the affected Community Council to a different Community Council and modify the total number of Councils accordingly.<<

Sec. 20-43. Community Councils; membership.

>>Except as provided in subsection (E),<< Community Councils shall have seven (7) members, six (6) of whom shall be elected at large within the council area and one (1) of whom shall be appointed by the Board of County Commissioners as follows:

*

*

*

- >>(E) Reassignment of Community Council Members. When, as a result of incorporation or annexation, subareas or portions thereof are reassigned to a different Community, elected or appointed Council Members who continue to reside in the unincorporated area, whether at-large or subarea representatives representing the reassigned areas, shall serve as additional members to the reassigned Community Council. The reassigned Council Members shall serve until the next first state primary election.<<

Section 2. If any section, subsection, sentence, clause or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. It is the intention of the Board of County Commissioners, and it is hereby ordained that the provisions of this ordinance, including any sunset provision, shall become and be made a part of the Code of Miami-Dade County, Florida. The sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section," "article," or other appropriate word.

Section 4. This ordinance shall become effective ten (10) days after the date of enactment unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

PASSED AND ADOPTED:

Approved by County Attorney as
to form and legal sufficiency:

Prepared by:

Craig H. Collier




ATTACHMENT "I"
Community Councils/Subareas
By Voter Precincts

*

Council Area 2

Subarea 21	Precinct #
21	101
21	105
Subarea 22	
22	5
22	104
Subarea 23	
23	106
23	107
23	108
Subarea 24	
24	119
24	120
24	166
Subarea 26	
26	207
26	208
26	209
26	210
26	212
26	293
Subarea At-Large	
At-Large	5
At-Large	101
At-Large	104
At-Large	105
At-Large	106
At-Large	107
At-Large	108
At-Large	119
At-Large	120
At-Large	166
At-Large	207
At-Large	208
At-Large	209
At-Large	210
At-Large	212
At-Large	293

Council Area 5

Subarea 51	Precinct #
51	201
51	230*
51	272

Subarea 51 (continued)

51	350
51	355
51	358
51	371
Subarea 52	
52	303
52	370
Subarea 53	
53	231
53	232
53	275
53	351
Subarea 54	
54	234
54	304
54	334
54	354
54	372
Subarea 55	
55	301
55	302
55	356
55	364
55	365
55	369
55	373
55	453
Subarea At-Large	
At-Large	201
At-Large	230
At-Large	272
At-Large	350
At-Large	355
At-Large	358
At-Large	371
At-Large	303
At-Large	370
At-Large	231
At-Large	232
At-Large	275
At-Large	351
At-Large	234
At-Large	304
At-Large	334

* Formerly part of Community Council 4 but transferred as a result of incorporation.

** Formerly part of Community County 3 but transferred as a result of incorporation.

Council Area 5 (Continued)

At-Large	354
At-Large	372
At-Large	301
At-Large	302
At-Large	356
At-Large	364
At-Large	365
At-Large	369
At-Large	373
At-Large	453

Council Area 7

Subarea 71(a)	Precinct #
71(a)	150
71(a)	164
Subarea 71(b)	
71(b)	150
71(b)	164
Subarea 72(a)	
72(a)	149
Subarea 72(b)	
72(b)	149
Subarea 73(a)	
73(a)	157
73(a)	158
73(a)	181
Subarea 73(b)	
73(b)	157
73(b)	158
73(b)	181

Council Area 8

Subarea 81	Precinct #
81	172
81	173
81	238
81	240
81	241
81	245
81	268
Subarea 82	
82	128
82	129
82	130**

Subarea 82 (continued)

82	131
82	132
82	141
82	152
82	153
82	161
82	174
82	175
82	183
82	239**
82	242
82	243
82	244
82	253
Subarea 83	
83	162
83	246
83	247
83	248
83	249
83	250
83	251
83	252
83	277
Subarea 84	
84	254
84	255
84	257
84	258
84	259
84	279
Subarea 85	
85	260
85	261
85	262
85	263
85	264
85	266
85	278
85	281
85	282
85	286

Council Area 8 (Continued)

Subarea 86

86	284
86	285
86	289
86	341
86	347
86	446-split precinct

Council Area 10

Subarea 10 Precinct

101	403
101	404
101	405
101	406
101	407
101	408
101	411
101	442
101	443
101	445
101	446-split precinct
101	447
101	448
101	455

Subarea 102

102	424
102	425
102	428
102	429
102	430
102	431
102	432
102	603

Subarea 103

103	421
103	422
103	423
103	433
103	434
103	435
103	715
103	716
103	780

Subarea 104

104	418
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Subarea 104 (continued)

104	419
104	420
104	436
104	437
104	713
104	714

Subarea 105

105	417
105	438
105	439
105	458
105	708
105	709
105	710
105	712

Subarea 106

106	353
106	367
106	384
106	402
106	412
106	413
106	414
106	415
106	416
106	440
106	441
106	444
106	449
106	451
106	456
106	457
106	459

Council Area 11

Subarea 111 Precinct

111	703
111	706
111	707
111	732
111	763
111	772

Subarea 112

112	701
112	702

Subarea 112 (continued)

112	704
112	705
112	764
112	773
112	796

Subarea 113

113	711
113	733
113	744
113	770
113	781

Subarea 114

114	734
114	735
114	736
114	737
114	738
114	740
114	762
114	766
114	767
114	774
114	775
114	785
114	793

Subarea 115

115	739
115	741
115	742
115	743
115	757
115	768
115	769
115	788

Subarea 116

116	759
116	789
116	790
116	791

Council Area 12

Subarea 121	Precinct #
121	619
121	641
121	644

Subarea 122 Precinct #

122	606
122	620
122	621
122	622
122	623
122	651
122	652
122	717
122	719
122	720
122	779
122	794
122	795

Subarea 123

123	718
123	722
123	724
123	725
123	726
123	731
123	777
123	778

Subarea 124

124	727
124	728
124	729
124	730
124	745
124	746
124	747
124	748
124	765
124	783
124	786

Subarea 125

125	642
125	721
125	723
125	749
125	750
125	751
125	752
125	771
125	787

Council Area 12 (Continued)**Subarea 126**

126	753
126	754
126	755
126	756
126	760
126	761
126	804
126	840

Council Area 14**Subarea 141 Precinct #**

141	801
141	802
141	803
141	812
141	817
141	837
141	842

Subarea 142

142	758
142	776
142	814
142	815
142	841

Subarea 143

143	813
143	816
143	818
143	826

Subarea 144

144	827
144	828
144	829
144	830
144	835
144	838
144	845
144	846
144	848
144	851
144	852

Subarea 145 Precinct #

145	912
145	913
145	924
145	933
145	943
145	945
145	950
145	953

Subarea 146

146	836
146	841
146	853
146	901
146	902
146	914
146	926
146	927
146	929
146	930
146	935
146	941
146	952

Council Area 15**Subarea 151 Precinct #**

151	821
151	822
151	824

Subarea 152

152	809
152	823
152	832
152	847
152	932

Subarea 154

154	904
154	905
154	906
154	928

Subarea 156

156	938
156	951
156	903
156	907
156	908
156	909
156	910
156	911
156	931
156	940
156	942
156	944
156	946

Subarea At-Large #1

At-Large1	809
At-Large1	821
At-Large1	822
At-Large1	823
At-Large1	824
At-Large1	825
At-Large1	833
At-Large1	831
At-Large1	832
At-Large1	834
At-Large1	839
At-Large1	847
At-Large1	856
At-Large1	903
At-Large1	904
At-Large1	905
At-Large1	906
At-Large1	907
At-Large1	908
At-Large1	909
At-Large1	910
At-Large1	911
At-Large1	925
At-Large1	928
At-Large1	931
At-Large1	932
At-Large1	937
At-Large1	938
At-Large1	940
At-Large1	942

Subarea At-Large#1 (continued)

At-Large1	944
At-Large1	946
At-Large1	947
At-Large1	951

Subarea At-Large #2

At-Large2	809
At-Large2	821
At-Large2	822
At-Large2	823
At-Large2	824
At-Large2	825
At-Large2	833
At-Large2	831
At-Large2	832
At-Large2	834
At-Large2	839
At-Large2	847
At-Large2	856
At-Large2	903
At-Large2	904
At-Large2	905
At-Large2	906
At-Large2	907
At-Large2	908
At-Large2	909
At-Large2	910
At-Large2	911
At-Large2	925
At-Large2	928
At-Large2	931
At-Large2	932
At-Large2	937
At-Large2	938
At-Large2	940
At-Large2	942
At-Large2	944
At-Large2	946
At-Large2	947
At-Large2	951

Council Area 16

Subarea 161(a)

161(a) 47

161(a) 52

Subarea 161(b)

161(b) 47

161(b) 52

Subarea 161(c)

161(c) 47

161(c) 52

Subarea 161(d)

161(d) 47

161(d) 52

Subarea 161(e)

161(e) 47

161(e) 52

Subarea 161(f)

161(f) 47

161(f) 52